

1652

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEB 23 2004

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

17

| | |
|------------------------|-------------------------|
| Application Number | 09/659,737 |
| Filing Date | September 11, 2000 |
| First Named Inventor | Blumenberg et al. |
| Art Unit | 1652 |
| Examiner Name | M. Monshipouri |
| Attorney Docket Number | 71369.172 and PFI-024US |

ENCLOSURES (Check all that apply)

| | | |
|------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please Identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| Remarks | | |
| -Supplemental Information Disclosure Statement (2 Pages) -PTO-1449 Form (1 Page) -Two Publications (13 Pages) - Return Postcard | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|-------------------------------------------------------------------------------------|
| Firm or Individual name | Ann-Louise Kerner, Ph.D., Reg. No. 33,523 |
| Signature |  |
| Date | February 20, 2004 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

| | |
|-----------------------|-------------------------------------------------------------------------------------|
| Typed or printed name | Sharon Matthews |
| Signature |  |
| | Date 2/20/04 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEB 2 2004

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FEET TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

Complete if Known

| | |
|----------------------|-------------------------|
| Application Number | 09/659,737 |
| Filing Date | September 11, 2000 |
| First Named Inventor | Blumenberg et al. |
| Examiner Name | M. Monshipouri |
| Art Unit | 1652 |
| Attorney Docket No. | 71369.172 and PFI-024US |

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number

08-0219

Deposit Account Name

Hale and Dorf LLP

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|-------------------|--------------|------------------------|---------------|-----------------|----------|
| 1001 770 | 2001 385 | Utility filing fee | | | |
| 1002 340 | 2002 170 | Design filing fee | | | |
| 1003 530 | 2003 265 | Plant filing fee | | | |
| 1004 770 | 2004 385 | Reissue filing fee | | | |
| 1005 160 | 2005 80 | Provisional filing fee | | | |
| SUBTOTAL (1) (\$) | | | | | — |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Independent Claims | Multiple Dependent | Fee from Extra Claims below | Fee Paid |
|--------------|--------------------|--------------------|-----------------------------|----------|
| | | | -20** = | X |
| | | | - 3** = | X |
| | | | | |

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|-------------------|--------------|------------------------------------------------------------|---------------|-----------------|----------|
| 1202 18 | 2202 9 | Claims in excess of 20 | | | |
| 1201 86 | 2201 43 | Independent claims in excess of 3 | | | |
| 1203 290 | 2203 145 | Multiple dependent claim, if not paid | | | |
| 1204 86 | 2204 43 | ** Reissue independent claims over original patent | | | |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent | | | |
| SUBTOTAL (2) (\$) | | | | | — |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

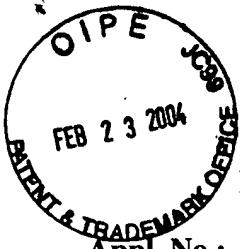
| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|-----------------------------------|---------------|----------------------------------------------------------------------------|----------|
| 1051 130 | 2051 65 | Surcharge- late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge- late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 420 | 2252 210 | Extension for reply within second month | |
| 1253 950 | 2253 475 | Extension for reply within third month | |
| 1254 1,480 | 2254 740 | Extension for reply within fourth month | |
| 1255 2,010 | 2255 1,005 | Extension for reply within fifth month | |
| 1401 330 | 2401 165 | Notice of Appeal | |
| 1402 330 | 2402 165 | Filing a brief in support of an appeal | |
| 1403 290 | 2403 145 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 665 | Petition to revive - unintentional | |
| 1501 1,330 | 2501 665 | Utility issue fee (or reissue) | |
| 1502 480 | 2502 240 | Design issue fee | |
| 1503 640 | 2503 320 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 770 | 2809 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 770 | 2810 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 770 | 2801 385 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |
| Other fee (specify) | | | |
| *Reduced by Basic Filing Fee Paid | | | |
| SUBTOTAL (3) (\$) | | | 180.00 |

(Complete if applicable)

| Name (Print/Type) | Ann-Louise Kerner, Ph.D. | Registration No. (Attorney/Agent) | 33,523 | Telephone (617) 526-6192 |
|-------------------|--------------------------|-----------------------------------|--------|--------------------------|
| Signature | <i>Ann-Louise Kerner</i> | | | |
| Date | 2/20/2004 | | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS: SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/659,737

Filing Date: September 11, 2000

Applicant: Blumenberg et al.

Examiner: M. Monshipouri

Docket No.: 71369.172 and PFI-024

Group Art Unit: 1652

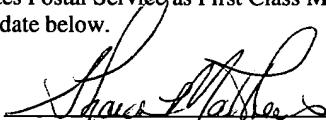
Cust. No.: 23483

Title: Genes and Polynucleotides Associated with Ultraviolet Radiation-Mediated Skin Damage and Uses Thereof

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below.

3/30/04
Mailing Date


Sharon Matthews

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants submit herewith the references on the attached form PTO-1449, copies of which are enclosed. This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97 (c) (2), after the mailing of a first Office Action on the merits, but before the mailing date of a Notice of Allowance or an action that otherwise closes prosecution in the application. Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office on a counterpart foreign application.

This submission does not represent that a search has been made and does not constitute an admission that the listed documents are material to the patentability of the invention, or that the listed documents are prior art. Applicant reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application. If it should be

determined that any of the listed documents do not constitute prior art under United States law, Applicant reserves the right to present to the Officer the relevant facts and law regarding the appropriate status of such documents.

It is respectfully requested that the Examiner initial and return copies of the enclosed form PTO-1449 with the next Patent Office communication.

Applicants also respectfully request that the Examiner *initial* and return copies of the forms PTO-1449 that were submitted on *May 13, 2003* and *June 6, 2003* with the next Patent Office communication.

Please charge the fee set forth in 37 C.F.R. § 1.17(p) of \$180.00 and any additional fee that might be due in connection with this matter to Deposit Account Number 08-0219.

If there are any questions, please call the undersigned at the telephone number indicated below.

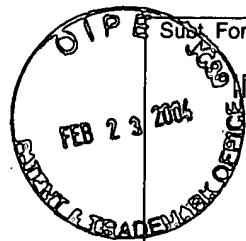
Respectfully submitted,

Date: 07/20/04

Ann-Louise Kerner

Ann-Louise Kerner, Ph.D.
Reg. No. 33,523

HALE AND DORR LLP
60 State Street
Boston, MA 02109
Tel: (617) 526-6192
Fax: (617) 526-5000



Subj For, PTO-1449

INFORMATION DISCLOSURE
IN AN APPLICATION

(Use several sheets if necessary)

| | | | | | |
|-------|---|----|---|---------------------------------------------|----------------------------------|
| | | | | Docket Number 71369.172 and PFI-024US | Application Number 09/659,737 |
| | | | | Applicant Blumenberg et al. | |
| Sheet | 1 | OF | 1 | Filing Date September 11, 2000 | Group Art Unit 1652 |

U.S. Patent Documents

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|------------------|-----------------|------|------|-------|----------|----------------------------|
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Foreign Patent Documents

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|------------------|-----------------|------|---------|-------|----------|-------------|----|
| | | | | | | YES | NO |
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Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)

| | |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| C1 | Dorow et al., "Identification of a new family of human epithelial protein kinases containing two leucine/isoleucine-zipper domains," <i>Eur. J. Biochem.</i> , Vol. 213, No.2, 1993, 701-710 |
| C2 | Su et al., "Signal transduction by the JNK MAPK cascade and ultraviolet light induced cytokine gene expression," <i>Photochemistry and Photobiology</i> , Vol. 67, Special Issue, 1998, 60S |
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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609: Draw Line through citation if not conformance and not considered. Include copy with next communication to applicant. | |